

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-25 are pending in this application. Claims 1, 16, and 19 are independent. Claims 1, 7, 10, 14, 16, 17, 18, 19, and 20 are hereby amended. It is submitted that these claims, as originally presented, were in full compliance with the requirements 35 U.S.C. §112. No new matter has been introduced by this amendment. Support for this amendment is provided throughout the Specification and specifically on page 2, lines 22-24. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which the Applicants are entitled.

II. REJECTIONS UNDER 35 U.S.C. §112

Claims 7-9 were rejected under 35 U.S.C. §112, second paragraph. Claim 7 is hereby amended, obviating the rejection.

III. REJECTIONS UNDER 35 U.S.C. §102(e)

Claims 1-4, 11, 14, and 16-25 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,259,801 to Wakasu.

Claims 1, 6-10, 16, 19, and 22-25 were rejected under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,535,616 to Hayashi, et al.

IV. REJECTIONS UNDER 35 U.S.C. §103(a)

Claim 5 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,259,801 to Wakasu in view of U.S. Patent No. 6,226,387 to Tewfik, et al.

Claims 12 and 13 rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,259,801 to Wakasu.

Claim 15 was rejected under 35 U.S.C. §103(a) as allegedly unpatentable over U.S. Patent No. 6,259,801 to Wakasu in view of U.S. Patent No. 6,175,639 to Satoh, et al.

V. RESPONSE TO REJECTIONS

Amended independent claim 1 now recites, *inter alia*:

“An image processing apparatus operable to embed data into an image, said image comprising a frame of image data, said frame comprising first and second image fields **generated from an inter-laced scan of the image...**” (Emphasis Added)

As understood by Applicants, U.S. Patent No. 6,259,801 to Wakasu (hereinafter, merely “Wakasu”) relates to inserting and detecting electronic watermark data into a digital image. The image is divided into blocks and different electronic watermark data is inserted into every block.

As understood by Applicants, U.S. Patent No. 6,535,616 to Hayashi, et al. (hereinafter, merely “Hayashi”) relates to the efficient control of embedding digital watermark information into digital information or detecting such information.

Applicants submit that nothing has been found in Wakasu or Hayashi that would disclose or suggest the above-identified features of amended independent claim 1.

Specifically, Applicants note that the definition of the term “field” as applied by the Office Action to mean any subset of an image frame, including the image blocks described in Wakasu and Hayashi, is not the definition accepted by those of ordinary skill in the art.

Applicants submit that the term “field” has an extremely well-known meaning to those in the art, and does not cover the image blocks disclosed in Wakasu or Hayashi.

Applicants note that when a frame comprises two fields, this means that one field comprises all the odd numbered horizontal lines of pixels of the frame, and that the other field comprises all the even numbered horizontal lines of pixels of the frame. This is completely different from an image block, and no block of data within the meaning of Wakasu and Hayashi can ever constitute a field.

Therefore, claim 1 is believed to be patentable.

For reasons similar to those described above, amended independent claims 16 and 19 are believed to be patentable.

VI. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

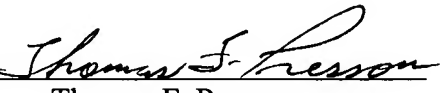
CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
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